



BEST AVAILABLE COPY

PATENT

2664
6/10/03
JD.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Paul E. Bender) For: Method and Apparatus for
Serial No. 09/653,744) Gated ACK/NAK Channel in a
Filed: September 1, 2000) Communication System
) Group Art Unit: 2664

COMMUNICATION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Jasper Kwoh, Examiner

Dear Sir:

Pursuant to a telephone conversation with Examiner Kwoh on May 30, 2003, regarding the above-identified application, enclosed are the following documents:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on:

June 4, 2003

(Date of Deposit)

Sheryl L. Schoen

(Name of Person Making Deposit)

Sheryl Schoen

(Signature)

June 4, 2003

(Date of Signature)

1. Copy of Specification as filed on September 1, 2000;
2. Copy of Patent Application Transmittal and postcard;
3. Copy of Official Filing Receipt;
4. Copy of Response to Notice to File Missing Parts w/ Request for Corrected Filing Receipt (Title)
5. Copy of Corrected Filing Receipt
6. Transmittal of Formal Drawings mailed March 2, 2001
7. Copy of IDS filed April 16, 2001
8. Copy of IDS filed July 31, 2002.

Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

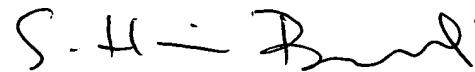
If any fee is due in connection with this Communication, please charge Deposit Account No. 17-0026 of Qualcomm Incorporated for the appropriate amount.

A duplicate copy of this letter is enclosed.

Respectfully submitted,

Dated: June 4, 2003

By:



S. Hossain Beladi
Reg. No. 42,311
Attorney for Applicant

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4470
Facsimile: (858) 658-2502



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
PAUL E. BENDER) For: METHOD AND APPARATUS FOR
Serial No. UNKNOWN) GATED ACK/NAK CHANNEL IN A
Filed: HEREWITH) COMMUNICATION SYSTEM
) Group Art Unit: UNKNOWN

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10

Assistant Commissioner of Patents
BOX PATENT APPLICATIONS
Washington, D.C. 20231

Dear Sir:

"Express Mail" mailing label No. EJ745136020US
Date of Deposit August 31, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, BOX PATENT APPLICATIONS, Washington, D.C. 20231.

Stephanie Young
(Signature)
(Name)
(Signature)

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-4851
Facsimile: (858) 658-2502

#7
6/25/03
J.D.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Paul E. Bender) Examiner: Unknown
Serial No.: 09/653,744) Group Art Unit: 2664
Filed: September 1, 2000)
For: Method and Apparatus for)
Gated ACK/NAK Channel in a)
Communication System)

LETTER TO OFFICIAL DRAFTSMAN
TRANSMITTING FORMAL DRAWINGS

Asst. Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Enclosed for filing in the subject application are seven (7) sheets of formal drawings.

Respectfully submitted,

Dated: 2 March 2001

By: S. Hossain Beladi
S. Hossain Beladi
Attorney for Applicant
Registration No. 42,311

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

2 March 2001
(Date of Deposit)

Kayla R. Seignious
(Name of the Person Making Deposit)

Kayla R. Seignious
(Signature)

2 March 2001
(Date of Signature)

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-4470
Facsimile: (858) 658-2502

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING
IN THE U.S. PATENT AND TRADEMARK OFFICE 3/2/01:

DOCKET NO.: QCPA000325 SHB/KRS

QUALCOMM Incorporated

ENCLOSED ARE:

DRAWING TRANSMITTAL LETTER; 7 SHEETS OF FORMAL DRAWINGS; AND
POSTCARD

APPLICANT: PAUL E. BENDER

ASSIGNEE: QUALCOMM Incorporated

SERIAL NO.: 09/653,744

FILED: SEPTEMBER 1, 2000

FOR: METHOD AND APPARATUS FOR GATED ACK/NAK CHANNEL IN A
COMMUNICATION SYSTEM

STAMP HERE SHOWING RECEIPT (THANK YOU):

BEST AVAILABLE COPY

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING IN THE
U.S. PATENT AND TRADEMARK OFFICE
(Mailed 8/31/00 VIA EXPRESS MAIL LABEL NO. EJ745136020US

DOCKET NO: QCPA 000325 SHB/SFY
ENCLOSED ARE: CERTIFICATE OF EXPRESS MAIL;
TRANSMITTAL LETTER IN DUPLICATE;
PATENT APPLICATION (21pg.); COMBINED DECLARATION/POWER OF ATTORN
(Filed Unsigned);
7 SHEETS OF INFORMAL DRAWINGS;and
POSTCARD.

APPLICANT: BENDER
ASSIGNEE: QUALCOMM Incorporated
SERIAL NO.: UNKNOWN
FILED: HEREWITH
FOR: Method and Apparatus for Gated ACK/NAK Channel in a Communication
System

STAMP HERE SHOWING RECEIPT (THANK YOU):

UTILITY PATENT APPLICATION TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX PATENT APPLICATION



Attorney Docket No.: PA000325
Date: 8/31/00
Express Mail Label No.: EJ745136020US

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): PAUL E BENDER

For: Method and Apparatus for Gated ACK/NAK Channel in a Communication System

Enclosed are:

1. Patent application (21) total pages.
2. Drawings: Formal () sheet(s) or Informal (3) sheet(s).
3. Declaration/Power of Attorney: Signed Unsigned
4. An Assignment () pages and Recordation Form Cover Sheet.
5. A Preliminary Amendment () pages.
6. Information Disclosure Statement (IDS):
 - a. PTO-1449
 - b. Copies of IDS Citations (number of citations:)
7. Other:

| CLAIMS: | (a) Filed | (b) Extra Claims | Large Entity Fee | Fee Paid |
|--|-----------|------------------|------------------|----------|
| Total* | 18 - 20 | 20 | x \$18 = | \$0 |
| Independent** | 2 - 3 | 3 | x \$78 = | \$0 |
| Multiple Dependent Claim(s): <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | | | \$260 | \$0 |
| APPLICATION FILING FEE | | | \$690 | \$690 |
| | | | TOTAL FEE | \$690 |

*If the number in column a is less than 20, enter 0 in column b.

**If the number in column b is less than 3, enter 0 in column b.

8. Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated the amount of \$690.00. The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed for fee processing.
9. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

Date: 8/31/00

Signature:

S. Hossain Beladi, Reg. No. 42, 311

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 651-4470
Facsimile: (858) 658-2502



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/653,744 | 09/01/2000 | 2664 | 690 | PA000325 | 5 | 18 | 3 |

FILING RECEIPT

Qualcomm Incorporated
 5775 Morehouse Drive
 San Diego, CA 92121-1714



OC00000005527773

Date Mailed: 11/02/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Paul E. Bender, San Diego, CA ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 10/13/2000

Title

Method and apparatus for determining load level in a communication system

Preliminary Class

370

Data entry by : KIM, JONATHAN

Team : OIPE

Date: 11/02/2000



RECEIVED

NOV 10 2000

PATENT

6/15/03
JL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re)
Application No. 09/653,744) For: METHOD AND APPARATUS
Paul E. Bender) FOR GATED ACK/NAK
) CHANNEL IN A
) COMMUNICATION SYSTEM
Attorney Docket No. PA000325)
)
Filed: September 1, 2000) Group No. 2664

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97(b)**

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Assistant Commissioner:

Applicant, through his attorney, submits herewith references of which he is aware, which he believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on:

04/16/2001

(Date of Deposit)

Carola Emelitis-Swartz

(Name of the Person Making Deposit)


(Signature)

04/16/2001

(Date of Signature)

While the references identified herein may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application unless specifically designated as such.

The filing of this document shall not be construed to mean that any search has been made or, that if made such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references cited herein is set forth on Form PTO-1449 which is enclosed herewith in duplicate along with a copy of each cited reference. Applicant(s) respectfully request that the Examiner return to Applicant(s) the enclosed copy of the Form PTO-1449 indicating consideration of the references.

The subject application is believed patentable over any of the above-references.

Respectfully submitted,

Dated: 04/16/2001

By: S. H. Beladi
S. Hossain Beladi
Attorney for Applicant(s)
Reg. No. 42,311

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4470
Facsimile: (858) 658-2502

Encl.: 1. Form PTO 1449
2. Copies of references cited on Form PTO-1449

| | | | |
|--|--|------------------------------|-------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. PA000325 | APPLICATION NO. 09/653,744 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i> | | APPLICANT Paul E. Bender | |
| DATE MAILED: 04/16/2001 | | FILING DATE 09/01/2000 | GROUP 2664 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | Ref No | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|------------------|--------|-----------------|------------|---------------------|-------|-----------|----------------------------|
| | A1 | 5,101,501 | 03/31/1992 | Gilhousen, et al. | | | |
| | A2 | 5,103,459 | 04/07/1992 | Gilhousen, et al. | | | |
| | A3 | 5,267,261 | 11/30/1993 | Blakeney, II et al. | | | |
| | A4 | | | | | | |
| | A5 | | | | | | |
| | A6 | | | | | | |
| | A7 | | | | | | |
| | A8 | | | | | | |
| | A9 | | | | | | |
| | A10 | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | Ref No | DOCUMENT NUMBER | DATE | COUNTRY | NAME | CLASS | SUB CLASS |
|------------------|--------|-----------------|------|---------|------|-------|-----------|
| | B1 | | | | | | |
| | B2 | | | | | | |
| | B3 | | | | | | |
| | B4 | | | | | | |
| | B5 | | | | | | |

OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Page, Etc.*)

| | | | |
|--|----|--|--|
| | C1 | | |
| | | | |
| | C2 | | |
| | | | |
| | C3 | | |
| | | | |

EXAMINER _____ DATE CONSIDERED _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING IN
THE U.S. PATENT AND TRADEMARK OFFICE (Mailed: 04/16/2001)

DOCKET NO. PA000325 SHB/EME
ENCLOSED ARE:
INFORMATION DISCLOSURE STATEMENT; 3 CITED REFERENCES;
PTO FORM 1449, (in duplicate); and POSTCARD.

APPLICANT: BENDER
ASSIGNEE: QUALCOMM Incorporated
APPLICATION NO.: 09/653,744
FILED: 09/01/2000
FOR: METHOD AND APPARATUS FOR GATED ACK/NAK CHANNEL
IN A COMMUNICATION SYSTEM

STAMP HERE SHOWING RECEIPT (THANK YOU):

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Paul E. Bender) For: Method and Apparatus for Gated
Serial No. 09/653,744) ACK/NAK Channel in a
Filed: September 1, 2000) Communication System
) Group Art Unit: 2664

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97(c)**

Asst. Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants submit the enclosed information in accordance with a duty to disclose information under 37 CFR § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

July 31, 2002

(Date of Deposit)

Sheryl Schoen

(Name of the Person Making Deposit)

Sheryl Schoen

(Signature)

July 31, 2002

(Date of Signature)

In accordance with 37 CFR § 1.98 submitted herewith for consideration by the Examiner are the patents, publications and other information shown on the attached PTO-1449.

The citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application unless specifically designated as such.

The filing of this document shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

A list of the references cited herein is set forth on Form PTO-1449 which is enclosed herewith in duplicate along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants the enclosed copy of the Form PTO-1449 indicating consideration of the references.

The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Dated: July 31, 2002

By: S. Hossain Beladi
S. Hossain Beladi
Attorney for Applicants
Registration No. 42,311

QUALCOMM Incorporated
5775 Morehouse Drive
Attn: Patent Department
San Diego, California 92121-1714
Telephone: (858) 651-4470
Facsimile: (858) 658-2502

Docket No. PA000325
Customer No. 23696

| | | | |
|--|---|----------------------------------|--------------------------|
| FORM PTO-1449 (REV. 7-80) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. PA000325 | SERIAL NO. 09/653,744 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i> | | APPLICANT Paul E. Bender | |
| DATE MAILED: July 31, 2002 | | FILING DATE September 1, 2000 | GROUP 2664 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|-------------------|---------------|-----------------|------------------|------|-------|-----------|----------------------------|
| A1 | 5 5 3 7 4 1 4 | 07/16/1996 | Takiyasu et al. | | | | |
| A2 | 5 5 7 7 0 2 4 | 11/19/1996 | Malkamaki et al. | | | | |
| A3 | 5 6 3 6 2 3 0 | 06/03/1997 | Marturano et al. | | | | |
| A4 | | | | | | | |
| A5 | | | | | | | |
| A6 | | | | | | | |
| A7 | | | | | | | |
| A8 | | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | Ref No | DOCUMENT NUMBER | DATE | COUNTRY | NAME | CLASS | SUB CLASS |
|------------------|---------------|-----------------|------|-----------------|------|-------|-----------|
| B1 | 9 9 2 3 8 4 4 | 14/05/1999 | PCT | Padovani et al. | | | |
| B2 | | | | | | | |
| B3 | | | | | | | |
| B4 | | | | | | | |
| B5 | | | | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

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|----|----|--|--|
| | C1 | | |
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| C2 | | | |
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| C3 | | | |
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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
| | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING
IN THE U.S. PATENT AND TRADEMARK OFFICE (Mailed July 31, 2002):

QCPA000325 SHB/sls Customer No. 23696
INFORMATION DISCLOSURE STATEMENT IN 2 PAGES; PTO-1449 IN
1 PAGE IN DUPLICATE WITH 4 REFERENCES; AND POSTCARD

APPLICANT: Paul E. Bender
ASSIGNEE: QUALCOMM INCORPORATED
SERIAL NO.: 09/653,744
FILED: September 1, 2000
FOR: Method and Apparatus for Gated ACK/NAK Channel in a Communication
System

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